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Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 04-00134 SOM
)	
Plaintiff,)	MOTION FOR ORDER DIRECTING
)	CLERK OF COURT TO ISSUE PENAL
vs.)	SUMMONS AND UNSEAL THE SEALED
)	THIRD SUPERSEDING INDICTMENT;
MICHAEL ALLEN BUSH,	(02),)	ORDER
LANI ANN BREWER,	(03),)	
HENRY J. MERRILL,	(04),)	
aka "Hank,")	
TIMOTHY DARE,	(05),)	
)	
Defendants.)	
)	

MOTION FOR ORDER DIRECTING CLERK OF
COURT TO ISSUE PENAL SUMMONS AND UNSEAL
THE SEALED THIRD SUPERSEDING INDICTMENT

A Third Superseding Indictment was returned by the grand jury on March 23, 2006. The Court ordered the Third Superseding Indictment sealed and issued an arrest warrant for the new defendant Timothy Dare. On April 3, 2006, Mr. Dare appeared in United States District Court with his attorney

William Harrison. The United States asks the Court to order the Clerk of Court to issue a penal summons for defendants Michael Allen Bush, Lani Ann Brewer and Henry J. Merrill, aka "Hank," and to unseal the Third Superseding Indictment.

DATED: April 4, 2006, at Honolulu, Hawaii.

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii

By /s/ Thomas Muehleck
THOMAS MUEHLECK
Assistant U.S. Attorney

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Plaintiff,) ORDER
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MICHAEL ALLEN BUSH, (02),)
LANI ANN BREWER, (03),)
HENRY J. MERRILL, (04),)
aka "Hank,")
TIMOTHY DARE, (05),)
)
Defendants.)
_____)

ORDER

Considering the Motion of the United States through the United States Attorney's Office, the Motion is granted and the Clerk of Court is directed to unseal the Third Superseding Indictment and to issue penal summonses for defendants Michael Allen Bush, Lani Ann Brewer and Henry J. Merrill, aka "Hank," to appear for arraignment and plea to the Third Superseding Indictment.

SO ORDERED this 10th day of April, 2006, at Honolulu, Hawaii.



Leslie E. Kobayashi
Leslie E. Kobayashi
United States Magistrate Judge